Miller Drug Co., Dilley A. Bowron, and J. Carl Berger. Pleas of guilty. Fine of $200 against company and $150 against each individual. (F. D. C. No. 30045. Sample Nos. 72139–K, 72495–K, 84157–K, 84428–K.)

INFORMATION FILED: Between February 19 and April 5, 1951, Southern District of Ohio, against the H. W. Miller Drug Co., a corporation, Columbus, Ohio, and Dilley A. Bowron and J. Carl Berger, pharmacists for the company.

INTERSTATE SHIPMENT: From the States of Indiana, Illinois, New Jersey, and Pennsylvania, into the State of Ohio, of quantities of *Benzedrine Sulfate tablets, Combisul-TD tablets, diethylstilbestrol tablets,* and *Desoxyn Hydrochloride tablets.*

ALLEGED VIOLATION: On or about June 19, 20, and 26, 1950, while the drugs were being held for sale at the H. W. Miller Drug Co., after shipment in interstate commerce, various quantities of the drugs were repackaged and sold without a prescription, which acts resulted in the repackaged drugs being misbranded.

The H. W. Miller Drug Co. was charged with causing the acts of repackaging and sale of the drugs involved in each of the four counts of the information; and, in addition, Dilley A. Bowron, in two of the counts, and J. Carl Berger, in the other two counts of the information, were charged with causing such acts to be done in connection with the drugs involved in those counts.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs bore no directions for use.

Further misbranding, Section 502 (e) (2), the repackaged *Combisul-TD tablets* failed to bear a label containing the common or usual name of the active ingredients, namely, sulfathiazole and sulfadiazine; and, Section 502 (f) (2), the repackaged *Desoxyn Hydrochloride tablets* failed to bear labeling containing adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: April 5, 1951. Pleas of guilty having been entered, the court imposed a fine of $200 against the company and $150 against each individual.

3409. Misbranding of thyroid tablets, dextro-amphetamine phosphate tablets, triple sulfa tablets, and diethylstilbestrol tablets. U. S. v. Hial E. McGaughey (Drug Center). Plea of guilty. Fine, $250. (F. D. C. No. 30005. Sample Nos. 61884–K, 76335–K, 76342–K, 76345–K.)

INFORMATION FILED: December 13, 1950, Eastern District of Illinois, against Hial E. McGaughey, trading as the Drug Center, East St. Louis, Ill.

INTERSTATE SHIPMENT: From the States of Missouri and New Jersey into the State of Illinois.

ALLEGED VIOLATION: On or about February 20 and 24 and March 26, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repackaged and sold without a prescription, which acts of the defendant resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs bore no labels containing statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear ade-

quate directions for use in that the directions "Caution: To be taken only on advice of your doctor," "Caution: To be taken only as directed by your physician," "Caution: To be taken only as directed by doctor," and "Caution: To be used only as directed by your doctor," borne on the labeling of the repackaged drugs, were not adequate directions for use.

Further misbranding, Section 502 (f) (2), the repackaged *dextro-amphetamine phosphate tablets* and the *triple sulfa tablets* bore no labeling containing warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: April 12, 1951. A plea of guilty having been entered, the court imposed a fine of $250.

3410. Misbranding of thyroid tablets, diethylstilbestrol tablets, Amytal tablets, sulfadiazine and sodium bicarbonate tablets, and sulfathiazole tablets. U. S. v. Seybold Drug Co. Plea of guilty. Fine, $700. (F. D. C. No. 29455. Sample Nos. 27088–K, 27092–K, 76522–K, 76523–K, 76525–K, 76527–K, 76544–K.)

INFORMATION FILED: September 26, 1950, Eastern District of Missouri, against the Seybold Drug Co., a corporation, Poplar Bluff, Mo.

INTERSTATE SHIPMENT: From the States of Michigan, Indiana, and Tennessee into the State of Missouri, of quantities of *thyroid tablets, diethylstilbestrol tablets, Amytal tablets, sulfadiazine and sodium bicarbonate tablets,* and *sulfathiazole tablets.*

ALLEGED VIOLATION: On or about December 28 and 29, 1949, and January 9, 10, and 12, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused quantities of the drugs to be repackaged and sold without a prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing statements of the quantity of the contents; Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use since the directions "As directed" borne on the labeling of the *diethylstilbestrol tablets* and the *sulfathiazole tablets* and the directions "One as needed" borne on the labeling of a portion of the repackaged *Amytal tablets* were not adequate directions for use, and since the labeling of the remainder of the repackaged drugs bore no directions for use; and, Section 502 (b) (1), the repackaged drugs other than the *sulfathiazole tablets* bore no labels containing the name and place of business of the manufacturer, packer, or distributor.

Further misbranding, Section 502 (d), the *Amytal tablets* contained a chemical derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the label of the repackaged *Amytal tablets* failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), the repackaged *diethylstilbestrol tablets* and the *sulfathiazole tablets* bore no labels containing the common or usual name of the drugs; Section 502 (e) (2), the repackaged *sulfadiazine and sodium bicarbonate tablets* failed to bear the common or usual name of each active ingredient of the tablets; and, Section 502 (f) (2), the labeling